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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,847	08/20/2001	Sam B. Sandbote	4800P006	7431

8791 7590 08/02/2004

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EXAMINER

MAI, TAN V

ART UNIT	PAPER NUMBER
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2124

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/933,847	SANDBOTE, SAM B.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tan V Mai	2124	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,9-11,15,16,18,19,30,31,33,34,36-42 and 45 is/are rejected.
- 7) ☒ Claim(s) 2,5-8,12-14,17,20-29,32,35,43 and 44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

1. The abstract of the disclosure is objected to because superfluous language is used in this paragraph (i.e., "[t]he present invention is" i). Correction is required. See MPEP § 608.01(b).
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
3. Claims 36-42 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 36, the number "claim 34" should be --claim 35--.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.<sup>7</sup>

Claims 1,3-4, 9-11, 15-16, 18-19, 30-31, 33-34 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al.

As per independent claim 1, Lee et al discloses, e.g., see Fig. 2, Abstract & col. 3, line 55 to col. 4, line 9, the invention substantially as claimed, including: a "functional unit which can also be configured to perform parallel operations on sub-operands in the registers X and Y. It is noted that Lee et al do NOT disclose the claimed "mask generator" feature: however, Lee et al do show the equivalent feature, e.g., see Abstract, "[t]he division of the apparatus into sub-operands is controlled by a mask

which specifies the **boundary of the sub-operands**". It would have been obvious to a person having ordinary skill in the art at the time the invention was made to design the claimed invention according to Lee et al's teachings because the reference is a functional unit capable of performing a "field length as claimed.

As per claim 3, Lee et al's "sub-operands" are considered the claimed "first and second ALU operands."

As per claim 4, the claim adds "operand selector to selector operand from a source operand and an immediate operand". The feature is obvious to a person having ordinary skill in the art.

As per claim 9, the claim adds "N single bit ALUs connected in cascade ...". The feature is merely a carry ripple adder.

As per claim 10, the claim adds the "field result includes at least a condition code". The feature is merely the labeled of data.

As per claim 11, Lee et al show adder feature.

As per claim 15, Lee et al show the claimed feature.

Due to the similarity of claims 16, 18-19, 30-31, 33-34 and 45 to claims 1,3-4, 9-11 and 15, they are rejected under a similar rationale.

5. Claims 2, 5-8, 12-14, 17, 20-29, 32 and 35-44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cited references are art of interest.

7. The following is an examiner's statement of reasons for allowance: the recorded references do NOT teach or suggest: (1) the detail of "mask generator" feature as recited in dependent claims 2, 17 & 32, and (2) the "barrel shifter" [or equivalent] feature as recited in dependent claims 5, 20 & 35-36.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan V. Mai whose telephone number is (703) 305-9761. The examiner can normally be reached on Tue-Fri from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki, can be reached on (703) 305-9662. The fax phone numbers for the organization where this application or proceeding is assigned are:

After-final (703) 746-7238

Official (703) 746-7239

Non-Official/Draft (703) 746-7240.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



TAN V. MAI  
PRIMARY EXAMINER